

Message Text

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ACTION AF-08

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R 191500Z MAY 76

FM AMCONSUL DURBAN

TO SECSTATE WASHDC 2183

INFO AMEMBASSY PRETORIA

AMCONSUL CAPE TOWN

AMCONSUL JOHANNESBURG

AMEMBASSY GABORONE

AMEMBASSY MASERU

AMEMBASSY LONDON

USMISSION USUN NEW YORK

UNCLAS DURBAN 0183

CAPE TOWN ALSO FOR EMBASSY

E.O. 11652: N/A

TAGS: PGOV, SF (TRANSKEI)

SUBJECT: TRANSKEI ASSEMBLY ALTERS CITIZENSHIP CLAUSE IN CONSTITUTION

REF: DURBAN 0165

1. THE TRANSKEI LEGISLATIVE ASSEMBLY (TLA) HAS APPROVED THE DRAFT TRANSKEI CONSTITUTION FOLLOWING THREE DAYS OF DEBATE. SEVEN CHANGES WERE MADE IN THE ORIGINAL DRAFT, THE MOST SIGNIFICANT DEALING WITH CONTROVERSIAL ISSUE OF CITIZENSHIP IN THE HOMELAND FOLLOWING INDEPENDENCE. THIS LATEST DRAFT WILL BE PLACED BEFORE THE TLA ONCE AGAIN IMMEDIATELY PRIOR TO INDEPENDENCE FO

ANY FINAL CHANGES AND EVENTUAL APPROVAL.

THE ASSEMBLY SEATED AT THAT TIME WILL BECOME THE TRANSKEI'S

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FIRST PARLIAMENT FOLLOWING INDEPENDENCE.

2. THE CHANGES ADOPTED BY THE TLA ARE CONSISTENT WITH CHIEF MINISTER KAISER MATANZIMA'S PUBLICLY STATED POSITION THAT URBAN AFRICANS OF TRANSKEI ORIGIN WILL NOT BE FORCED TO ACCEPT TRANSKEI CITIZENSHIP (REFTEL). CITIZENSHIP IN THE TRANSKEI WILL BE AUTOMATIC FOR PERSONS BORN IN THE HOMELAND OR WHOSE FATHERS WERE BORN THERE. AFRICANS WITH ETHNIC TIES TO THE TRANSKEI WILL, HOWEVER, NOW NOT BE FORCED, BY THE TRANSKEI AT LEAST, TO RELINQUISH SOUTH AFRICAN CITIZENSHIP FOR TRANSKEIAN. THE RELEVANT PORTION OF THE CONSTITUTION NOW READS: "ANY PERSON FOUND TO BE PREDOMINANTLY XHOSA-SPEAKING OR SOTHO-SPEAKING AND TO BE A MEMBER OR DESCENDED FROM OR ETHNICALLY, CULTURALLY OR OTHERWISE ASSOCIATED WITH ANY TRIBE RESIDENT IN THE DISTRICT OF THE TRANSKEI MAY APPLY FOR REGISTRATION AS AND BECOME A CITIZEN OF THE TRANSKEI." THE WORDS "MAY APPLY" REPLACE

THE ORIGINAL FORMULATION "SHALL BE." IN REPLY TO A QUESTION ON THE FUTURE OF SECOND GENERATION URBAN AFRICANS FROM THE TRANSKEI LIVING IN SOUTH AFRICA, MATANZIMA SAID THEIR FATE WOULD BE UP TO THE SOUTH AFRICAN GOVERNMENT.

3. COMMENT: SO FAR MATANZIMA IS HOLDING HIS GROUND AND APPEARS WILLING TO CONFRONT THE SOUTH AFRICAN GOVERNMENT, UPON WHOM HE IS FINANCIALLY HIGHLY DEPENDENT, OVER THIS ISSUE. WITH INDEPENDENCE FOR THE TRANSKEI STILL SEVERAL MONTHS AWAY, IT IS TOO EARLY TO SPECULATE AS TO THE EVENTUAL OUTCOME OF THIS TRANSKEI-SAG TUSSLE. THE NEXT MOVE, IN ANY CASE, IS UP TO THE FAG.
FARBER

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